UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

2008 APR -3 AM 9:50

UNITED STATES OF AMERICA,	'08 MJ 1024
Plaintiff,	Magistrate Case No.________
v.	COMPLAINT FOR VIOLATION OF
Aaron GONZALEZ-Ricardez,	Title 8, U.S.C., Section 1326 Attempted Entry After Deportation
Defendant.	

The undersigned complainant being duly sworn states:

On or about **April 2, 2008**, within the Southern District of California, defendant **Aaron GONZALEZ-Ricardez**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, attempted to enter the United States with the purpose; i.e. conscious desire, to enter the United States at the **San Ysidro, California, Port of Entry**, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

Signature of Complainant
Claudia Rios, United States Customs
and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE THIS **3rd** DAY OF **APRIL, 2008.**

UNITED STATES MAGISTRATE JUDGE

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PROBABLE CAUSE STATEMENT

On April 2, 2008, at approximately 8:45 AM, **Aaron GONZALEZ-Ricardez (Defendant),** applied for admission into the United States from Mexico through the San Ysidro, California, Port of Entry pedestrian lanes. Defendant presented a United States Passport bearing the name and photo of another person as his entry document to a United States Customs and Border Protection (CBP) Officer. Defendant stated to the CBP Officer that he was born in Salt Lake City, Utah. Defendant stated to the CBP Officer that he was going to Chula Vista, California. The CBP Officer queried the United States Passport utilizing the computer terminal at the inspection booth, and received a response that the passport presented by Defendant was stolen. The CBP officer suspected Defendant was an impostor to the document presented and escorted Defendant to the secondary area for further inspection.

During secondary inspection, Defendant was searched by fingerprint submission through the Integrated Automated Fingerprint Identification System (IAFIS). IAFIS returned a match to the query confirming Defendant's identity and linking him to an Immigration Service record and FBI record.

Central Index System (CIS) and Deportable Alien Control System (DACS) queries confirmed Defendant to be a citizen of Mexico with no legal rights or documents to enter the United States. DACS records indicate Defendant was ordered deported from the United States by an Immigration Judge on or about March 14, 2007, and was most recently deported, excluded or removed from the United States to Mexico on January 20, 2008, via the San Ysidro Port of Entry. Defendant Immigration records contain no evidence that Defendant has applied for, or received permission from the Attorney General or the Secretary of Homeland Security to legally re-enter the United States.